UNITED NATIONS **A**

General Assembly

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A/RES/49/180
2 March 1995

Forty-ninth session
Agenda item 100 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add.2)]

49/180. Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recalling further the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and for liberation from colonial and foreign domination, and for the establishment of a society in which people, irrespective of race, colour or creed, will fully enjoy economic, social, cultural, civil and political rights on a basis of equality and participate freely in the determination of their destiny,

Reaffirming also, in this context, the right of the Palestinian people to self-determination,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Recognizing also that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full and effective popular participation in electoral processes corresponds to States,

Recalling all its resolutions in this regard,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 1/ in which the Conference reaffirmed that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full and effective popular participation in those processes;

3. Reaffirms also that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that are intended to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Reaffirms further that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in each case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems;

6. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support

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1/ A/CONF.157/24 (Part I), chap. III.

for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly of the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social systems, without interference;

9. Calls upon the Commission on Human Rights to continue to give priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its fiftieth session, through the Economic and Social Council;

10. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution, under the item entitled "Human rights questions".

94th plenary meeting
23 December 1994

UNITED NATIONS **A**

General Assembly

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A/RES/49/181
2 March 1995

Forty-ninth session
Agenda item 100 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add.2)]

49/181. Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women and of nations large and small, and reaffirming also its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for and observance of human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 3/

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of universality, non-selectivity, impartiality and objectivity and should not be used for political ends,

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ A/CONF.157/24 (Part I), chap. III.

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, 2/ the International Covenant on Civil and Political Rights, 2/ and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Invites the Commission on Human Rights to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1993/59 of 9 March 1993; 4/

11. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

94th plenary meeting
23 December 1994

4/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

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2 March 1995

Forty-ninth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add.2)]

49/182. Respect for the universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights, 1/

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, 2/ family reunification of documented migrants is an important factor in international migration, and that financial remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

1. Calls upon all States to ensure the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. Reaffirms that all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants;

1/ Resolution 217 A (III).

2/ A/CONF.171/13, chap. I, resolution 1, annex.

3. Calls upon all States to allow, in conformity with national legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. Also calls upon all States to discourage and reverse legislation that adversely affects the family reunification of documented migrants and the transfer of financial remittances;

5. Requests the Commission on Human Rights to consider this issue at its fifty-first session.

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23 December 1994

UNITED
NATIONS

A

General Assembly

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A/RES/49/183
6 March 1995

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Agenda item 100 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add.2)]

49/183. Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 1/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992 and 48/130 of 20 December 1993, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1994/21 of 1 March 1994, 2/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

1/ Resolution 41/128, annex.

2/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

3/ E/CN.4/1990/9/Rev.1.

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Recognizing the need to provide adequate resources to the Centre for Human Rights of the Secretariat to support the work of the Working Group on the Right to Development,

Noting the need for coordination and cooperation throughout the United Nations system for the more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all Member States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 5/ which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration and Programme of Action examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Noting that aspects of the Programme of Actionof the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, 6/ are relevant to the universal realization of the right to development,

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4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

5/ A/CONF.157/24 (Part I), chap. III.

6/ A/CONF.171/13, chap. I, resolution 1, annex.

Welcoming the convening of the World Summit for Social Development and the Fourth World Conference on Women: Action for Equality, Development and Peace in 1995 and the United Nations Conference on Human Settlements (Habitat II) in 1996, and affirming that those conferences constitute important international steps towards the realization of the right to development, within the context of promoting and protecting all human rights,

Taking note with appreciation of the continuing work of the Working Group on the Right to Development during its three sessions, held at Geneva, from 8 to 19 November 1993, from 2 to 13 May 1994 and from 3 to 14 October 1994, 7/

Having considered the report of the Secretary-General, 8/ prepared pursuant to General Assembly resolution 48/130,

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries;

2. Takes note of the comprehensive report of the Secretary-General, 8/

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-first session a report on the implementation of Commission resolution 1994/21;

4. Calls upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development 7/ and to request the Working Group, in fulfilling its mandate, to continue to examine and sustain attention to all the various aspects of the right to development, with a view to making recommendations for enhancing the universal realization of the right to development through, inter alia, the implementation of the provisions of the Declaration on the Right to Development, reaffirmed by the Vienna Declaration and Programme of Action;

5. Requests the Centre for Human Rights of the Secretariat to continue to be forthcoming in providing adequate services and logistical support to the Working Group on the Right to Development to ensure the smooth functioning of its meetings;

6. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development;

7. Also requests the Secretary-General to ask the Centre for Human Rights to provide a programmatic follow-up on the implementation of the Declaration on the Right to Development, as part of the efforts to implement the Vienna Declaration and Programme of Action;

8. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

7/ See E/CN.4/1994/21 and Corr.1, E/CN.4/1995/11 and E/CN.4/1995/27.

8/ A/49/653.

9. Supports the current initiatives of the United Nations High Commissioner for Human Rights, within his mandate, to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development;

10. Invites the regional commissions and regional intergovernmental organizations to consider how they may contribute to the realization of the right to development, including through convening meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking arrangements or agreements for the implementation of the Declaration on the Right to Development through international cooperation;

11. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-first session and the General Assembly at its fiftieth session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system relating to the implementation of the Declaration on the Right to Development;

12. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the reports of the Working Group on the Right to Development;

13. Reiterates its commitment to implementing the results of the World Conference on Human Rights, at which it was reaffirmed that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

14. Calls upon States Members of the United Nations to address, within the declarations and programmes of action to be adopted by the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Human Settlements (Habitat II), the elements for the promotion and protection of the principles of the right to development, as set out in the Declaration on the Right to Development;

15. Decides to consider this question at its fiftieth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

94th plenary meeting
23 December 1994